

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.1939 of 2016

BETWEEN

Ooka Surya Chandra Rao and others.

... PETITIONERS

AND

State of AP, Rep. by its Principal Secretary, Tribal Welfare, Secretariat,
Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 01.02.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

The present writ petition is filed alleging that there is a dispute between the petitioners and the fifth respondent and that an order passed by the Revenue Divisional Officer in favour of the fifth respondent was already set aside by this Court in WP.No.15970 of 2008 dated 23.12.2013. It is also stated that pursuant to the said orders, the Revenue Divisional Officer, Jangareddygudem has already issued a notice dated 08.10.2015 proposing to conduct an enquiry to comply with the directions of this Court.

2. While that is pending, the land, in question, was acquired and it is alleged that the award is passed in favour of the fifth respondent ignoring the claim of the petitioners. The relief sought for in the present writ petition is against the action of respondents 1 to 4 in taking steps to pay compensation to the fifth respondent.

Petitioners allege that they have already filed a detailed representation on 17.10.2015 before the third respondent.

3. I, however, do not find any detailed representation made by the petitioners before the fourth respondent, who is the Land Acquisition Officer.

4. Learned Government Pleader, who was required to get instructions, *inter alia*, submits that revenue records and the documents viz. the order of the Tribal Welfare Officer and the D-Form Patta cancellation orders of the RDO against the petitioners were produced by the fifth respondent. The instructions, further, state that the compensation has not been paid keeping in view the dispute between the petitioners and the fifth respondent.

5. Obviously, the cancellation orders of the RDO wherein the petitioners D-Form patta was cancelled was set aside by this Court in the writ petition, referred to above, but that is not brought to the notice of the Land Acquisition Officer by the petitioners.

6. In the circumstances, therefore, giving liberty to the petitioners to file a detailed representation before the Land Acquisition Officer/respondent No.4, the third respondent is directed to complete the enquiry, as directed by this Court in the writ petition aforesaid, as he has already issued notice to all the parties, as referred to above. The fourth respondent, who states that he has kept the compensation on hold in view of the dispute, shall, therefore, await the resolution of the dispute, as the third respondent is directed to consider and dispose of the matter in compliance with the directions of this Court, referred to above.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 1, 2016
DSK